

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**In re: ROY FLIS**

§  
§  
§

**Case No. 10-33656-H5-13**

**Debtor(s)**

**Chapter 13**

**DEBTORS' OBJECTION TO PROOF OF CLAIM OF GEORGE FISETTE**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU SHOULD FILE YOUR RESPONSE TO THE OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 21 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 21 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED. A HEARING ON THIS MATTER WILL BE SET BY THE COURT.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Roy Flis, ("Debtor") object to the proof of claim identified below.

Creditor: George Fisette ("Claimant")

Date of Proof of Claim: October 5, 2010 ("Claim")

Amount of Proof of Claim: \$247,183.54

Scheduled Collateral or Security for Claim (if any):

Business Assets-Secured by  
Agreement, Judgment & Order for  
Turnover

The basis for the objection by Debtor is as follows:

The Claimant's Proof of Claim is filed after the bar date of September 14, 2010 and is therefore barred.

WHEREFORE, Debtors respectfully request the court to conduct a hearing on the Objection to Claimant's Proof of Claim and determine that the claim was filed late and is therefore not allowed and for such other and further relief as to which the Debtor may be entitled.

Dated: October 8, 2010

Respectfully submitted,

/s/ Reese W. Baker

Reese W. Baker/Texas Bar # 01587700  
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Houston, Texas 77007  
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(713) 869-9100 Fax  
Attorney for Debtors

OF COUNSEL:

5151 Katy Freeway, Suite 200  
Houston, Texas 77007  
(713)869-9200  
(713)869-9100 Fax

**CERTIFICATE OF SERVICE**

A copy of the foregoing Debtor's Objection to Proof of Claim was delivered on October 8, 2010, to all parties listed below:

George Fisette U.S. Mail  
43 Mary Street  
Charleston, South Carolina 29403-6215

George Fisette U.S. Mail  
c/o David A. Fettner  
4635 S. W. Freeway #640  
Houston, Texas 77027-7135

/s/ Reese W. Baker  
Reese W. Baker

**Chapter 13 Trustee**-by electronic delivery by the clerk of the Bankruptcy Court

\_x\_ William Heitkamp

/s/ Reese W. Baker  
Reese W. Baker

**VERIFICATION OF TRANSMITTAL TO U.S. TRUSTEE**

The undersigned attorney, under penalty of perjury, hereby certifies that a copy of Debtor's Objection to Proof of Claim was delivered to the United States Trustee, 515 Rusk, Suite 3516, Houston, Texas, 77002, on October 8, 2010, by electronic delivery by the clerk of the Bankruptcy Court.

/s/ Reese W. Baker  
Reese W. Baker